

HOUSE BILL No. 2033

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-4.

Synopsis: Indiana brewers grain market council and fund. Creates the Indiana brewer's grain market development fund. Requires the department of state revenue to deposit \$0.006 of the beer excise tax collected on each gallon of beer into the Indiana brewer's grain market development fund. Establishes the Indiana brewer's grain market development program and the Indiana brewer's grain market council. Makes technical corrections.

Effective: July 1, 2001.

Kruzan, Cochran

January 17, 2001, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 2033

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 7.1-4-7-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. The department shall
3 deposit:

4 (1) ~~four cents (\$0.04)~~ **three and four-tenths cents (\$0.034)** of the
5 beer excise tax ~~rate~~ collected on each gallon of beer or flavored
6 malt beverage;

7 (2) one dollar (\$1) of the liquor excise tax ~~rate~~ collected on each
8 gallon of liquor;

9 (3) twenty cents (\$0.20) of the wine excise tax ~~rate~~ collected on
10 each gallon of wine;

11 (4) the entire amount of malt excise tax collected; and

12 (5) the entire amount of hard cider excise tax collected;

13 daily with the treasurer of state and not later than the fifth day of the
14 following month shall cover them into the general fund of the state for
15 distribution as provided in this chapter.

16 SECTION 2. IC 7.1-4-11-6 IS ADDED TO THE INDIANA CODE
17 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY

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1, 2001]: Sec. 6. The department shall deposit six-tenths cent (\$0.006) of the beer excise tax collected on each gallon of beer under IC 7.1-4-2-1 in the Indiana brewer's grain market development fund created by IC 7.1-4-14-7.

SECTION 3. IC 7.1-4-14 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

Chapter 14. Indiana Brewer's Grain Market Development Council

Sec. 1. As used in this chapter, "council" refers to the Indiana brewer's grain market development council created under section 8 of this chapter.

Sec. 2. As used in this chapter, "director" refers to the dean of agriculture of Purdue University or the dean's designee.

Sec. 3. The director shall establish and administer an Indiana brewer's grain market development program.

Sec. 4. The Indiana brewer's grain market development program may include any of the following activities:

- (1) Market development and research programs.
- (2) Market promotion, education, and public relations programs.
- (3) Market information services.

Sec. 5. The director may contract with a qualified organization, agency, or individual to perform any of the activities listed in section 4 of this chapter.

Sec. 6. The director may not regulate the price of brewer's grain or any brewer's grain product under this chapter.

Sec. 7. (a) The Indiana brewer's grain market development fund is created.

(b) The Indiana brewer's grain market development fund may not be used for political or legislative activity.

(c) The fund shall be administered by the council and used for purposes of this chapter. The expenses of administering the fund shall be paid from money in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 8. (a) The Indiana brewer's grain market development council is created.

(b) The council shall have an odd number of members and consist of at least seven (7) but not more than fifteen (15) members. Council members are as follows:

- (1) The director or the director's designee.

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(2) The chairman of the food science department of Purdue University or the chairman's designee.

(3) The director of the agriculture research program of Purdue University or the director's designee.

(4) Other members that the director shall appoint.

(c) A majority of the members of the council must be:

(1) brewer's grain growers or producers of brewer's grain products; or

(2) holders of a brewer's permit under IC 7.1-3-2.

Sec. 9. The council shall adopt bylaws governing the terms of office, filling expired terms, expenses, quorum, duties, and other administrative matters. The bylaws may be amended by a two-thirds (2/3) vote of the members present, if a quorum is present.

Sec. 10. The council shall do the following:

(1) Elect a chairperson and any other officers.

(2) Recommend expenditures from the Indiana brewer's grain market development fund for the administration of the Indiana brewer's grain market development program and for the administration of this chapter.

(3) Perform any other necessary duties.

Sec. 11. The director shall consider the advice, recommendations, and assistance of the council for the expenditure of funds for the Indiana brewer's grain market development program and for the administration of this chapter.

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